

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings, which include Figures 1-13, replaces the original sheets including Figures 1-5.

Attachment: Replacement Sheets (Figures 1-13)

**REMARKS**

Claims 1, 2, 4-7, 9-15, 17-19 and 21-31 are pending. Claims 1, 19 and 27 are independent claims. No new matter has been added. Favorable reconsideration and withdrawal of the rejection is kindly requested.

Initially, Applicant appreciates the Examiner's acknowledgment that all certified copies pertaining to foreign priority claimed under 35 U.S.C. §119 have been received and the indication that the references submitted in the Information Disclosure Statement filed on December 27, 2001 have been considered.

**ALLOWABLE SUBJECT MATTER**

Applicant appreciates the Examiner's indication that claims 8-15 and 20-26 would be allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph rejection and to include all the limitations of the base claim and any intervening claims; and that claims 27-31 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph.

Applicant submits that, by this Amendment, the allowable subject matter of claim 8 has been amended into independent claim 1. In addition, the allowable subject matter of claim 20 has been amended into independent claim 19. Further, as discussed below, claims 2, 27, 28 and 31 have been amended to overcome the 112 rejection.

As such, in combination with following remarks, Applicant submits that independent claims 1, 19 and 27, and all claims dependent thereon, are allowable.

**DRAWING OBJECTIONS & SPECIFICATION AMENDMENTS**

Figure 1 stands objected to under MPEP §608.02(g) as allegedly failing to be designated by a legend such as --Prior Art-- because only that which is old is illustrated.

Figures 3, 4 and 5 stand objected to as allegedly consisting of multiple figures which must be labeled and described separately.

Although Applicant does not necessarily agree with the objections, by this Amendment, the drawings have been amended and further new Figures 1-13 have been included to replace original Figures 1-5. New Figures 1-13 include the subject matter originally presented in Figures 1-5. Furthermore, a Substitute Specification (including a clean and marked-up version) has been attached with this Amendment. The amendments made in the Substitute Specification reflect the drawing amendments. Thus, the drawing and Specification amendments present no new matter.

As the objections have been rendered moot, Applicant respectfully requests withdrawal of the objections.

**35 U.S.C. §112, SECOND PARAGRAPH REJECTION**

Claims 2, 16 and 27-31 stand rejected under 35 U.S.C. §112, second paragraph for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicant traverses this rejection.

With regard to claim 2, independent claim 1 recites "the pump being intended for feeding current into a superconducting coil of an

electromagnet." Therefore, "the superconducting coil of the electromagnet," as currently recited in claim 2, does have proper antecedent basis in independent claim 1.

Reconsideration and withdrawal of the rejection; and, accordingly, allowance of claim 2 is respectfully requested.

With regard to claims 16 and 27-31, Applicant submits that claim 16 has been cancelled. Claims 27, 28 and 31 have been amended. In view of amended claims 27, 28 and 31, Applicant submits that amendments to claims 29 and 30 are not necessary.

Reconsideration and withdrawal of the rejection; and, accordingly, allowance of claims 27-31 is respectfully requested.

**35 U.S.C. §103(a) REJECTION – TAKANO AND AIHARA**

Claims 1, 3-7 and 16-19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Takano et al. (hereinafter "Takano"), Japanese Patent No. 57-83008 A, in view of Aihara et al. (hereinafter "Aihara"), U.S. Patent No. 5,860,085. Applicant respectfully traverses this rejection.

By this Amendment, claim 1 has been amended to include the limitations of claim 8, indicated allowable by the Examiner. Furthermore, claim 19 has been amended to include the limitations of claim 20, also indicated allowable by the Examiner. As such, the Examiner's rejection has been rendered moot, and thus, independent claims 1 and 19 are allowable at least for this reason.

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to independent claims 1 and 19.

Withdrawal of the rejection to claims 3-7 and 16-18, at least by virtue of their dependency on independent claim 1, is kindly requested.

**35 U.S.C. § 103(a) REJECTION – TAKANO, AIHARA AND OTA**

Claim 2 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Takano in view of Aihara and further in view of Ota et al. (hereinafter “Ota”), Japanese Patent No. 01-032604 A. Applicant traverses this rejection.

In view of the foregoing remarks, Applicant submits that claim 2 is also allowable, at least by virtue of its dependency on amended independent claim 1.

Thus, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 2.

**CONCLUSION**

Accordingly, in view of the above, reconsideration of the objections and rejections and allowance of each of claims 1, 2, 4-7, 9-15, 17-19 and 21-31 in connection with the present application is earnestly solicited.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

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## **Attachments:**

Substitute Specification (clean) (11 pages)  
Substitute Specification (marked up) (11 pages)  
Replacement Figures 1-13 (5 pages)